

ENTERED

January 09, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

VS.

NICOLE CHARLES BOURN

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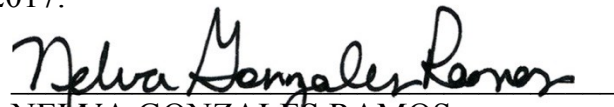
CRIMINAL ACTION NO. 2:16-CR-874-1

ORDER FOR SUPPLEMENTAL BRIEFING

On January 4, 2017, the Court heard Defendant Nicole Charles Bourn's motion to suppress evidence (D.E. 20). With respect to Defendant's challenge to the legality of the traffic stop that led to her arrest, Officer Isaac Deleon testified that the stop was predicated on a reasonable suspicion that Defendant had committed the offense of following another vehicle too closely.¹ The Court requests additional briefing on the question of whether the officer demonstrated reasonable suspicion to support a temporary detention, given the evidentiary burden noted in *Ford v. State*, 158 S.W.3d 488, 493-94 (Tex. Crim. App. 2005) and *United States v. Dioubate*, No. 1:13-CR-40, 2013 WL 6504287, at *5 (E.D. Tex. Dec. 10, 2013) (report and recommendation adopted).

The Court ORDERS the Government to file its supplemental brief on or before January 13, 2017. The Court ORDERS Defendant to file her responsive brief on or before January 20, 2017.

ORDERED this 9th day of January, 2017.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE

¹ Tex. Transp. Code Ann. § 545.062 (West 2011).